IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO: 3726 of 2005

Between:

Yaga Burayya S/o Y. Tatabbaia @ Mallayya, Occ: Employee
District Cooperative Central Bank Ltd., R/o D. No. 86-2-9/2, Vadrevunagar S.V. Reddy Street, Rajahmundry 3 East Godavari District

.... PETITIONER

AND

1 Chairman Person-in-Charge Committee District Cooperative

Central bank Ltd., & the District Collector East Godavari

District at kakinada
2 District Cooperative Central Bank Ltd., Nagamallithota,

Kakinada East Godavari District rep by General Manager

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order direction or Writ particularly one in the nature of Writ of Mandamus or any other appropriate Writ declaring the proceedings dated 13-10-2004 issued by the General Manager, District Cooperative Central Bank ltd., is illegal and arbitrary; and consequently direct the respondents to reinstate the petitioner into service with all consequential benefits and pass such other order or orders as the Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.G.VIDYASAGAR

Counsel for the Respondents: MR.C.V.MOHAN REDDY

The Court made the following :

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ORDER:

Challenging the proceedings dated 13.10.2004 issued by the General Manager, District Cooperative Central Bank Ltd, Kakinada, the present writ petition is filed, whereunder the petitioner was dismissed from service, after conducting disciplinary enquiry.

2. Against the order of dismissal, statutory appeal lies to the Board of Management, District Cooperative Central Bank. The Board of Management has been suspended after the expiry of the elected office bearers in which the District Collector is the Chairman of the District Cooperative Central Bank and official person-in-charge Committee has been nominated to run the affairs of the Bank. Therefore, the writ petitioner made an appeal to the District Collector who is Chairman of District Cooperative Central Bank and other person-in-charge committee members.

3. The petitioner cannot be permitted to prosecute two parallel remedies in respect of the same cause of action.

4. Hence the writ petition is disposed of directing the District Collector, the first respondent to take appropriate decision, in accordance with rules and regulations, within a period of two months from the date of receipt of copy of this order.

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K.C.BHANU, J

Dated: 02.03.2005

To

1 Chairman Person-in-Charge Committee District Cooperative

Central bank Ltd., & the District Collector East Godavari

District at kakinada

2 The General Manager, District Cooperative Central Bank Ltd., Nagamallithota, Kakinada East Godavari District

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